

STATE ALLOCATION BOARD

1130 K Street, Suite 400
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<http://www.dgs.ca.gov/opsc>



Date: October 22, 2004

To: Interested Parties

Subject: **NOTICE OF THE STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE MEETING**

Notice is hereby provided that the State Allocation Board Implementation Committee will hold a meeting on Friday, November 5, 2004 (9:30 am - 3:30 pm) at the East End Complex, 1500 Capitol Avenue, Rooms 72.149B & 72.151A, Sacramento.

The Implementation Committee's proposed agenda is as follows:

1. Convene Meeting
2. Bidding Climate Report
Present information on project cost increases due to code change requirements especially relating to the Americans with Disabilities Act and technology advancements.
3. Williams Settlement Legislation
Discussion Items:
 - Senate Bill 6 (Alpert) School Facility Needs Assessment Grant Program and Emergency Repair Account
 - Senate Bill 550 (Vasconcellos) School Facility StandardsInformational Items:
 - Assembly Bill 1550 (Daucher) Concept 6 Program
 - Assembly Bill 2727 (Daucher) and Senate Bill 550 (Vasconcellos) Uniform Complaint Process for School Districts

Any interested person may present public testimony or comments at this meeting regarding the issues scheduled for discussion. Any public input regarding unscheduled issues should be presented in writing, which may then be scheduled for a future meeting. For additional information, please contact Christine Sanchez at (916) 322-0328.

A handwritten signature in black ink, appearing to read 'Bruce B. Hancock', with a long horizontal flourish extending to the right.

BRUCE B. HANCOCK
Chairperson

BBH:LM:cs

STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE

Pending Items List
November 5, 2004

A. Future Items

- SFP – Project Rescission
- Follow-up to 180-Day Regulation: *District Funded Facilities Included in Existing School Building Capacity (approved at the May 26, 2004 State Allocation Board)*

B. Suspended Items

- None

STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE
November 5, 2004

WILLIAMS SETTLEMENT - SENATE BILL 6

PURPOSE

To present proposed regulations for the implementation of Senate Bill (SB) 6, Chapter 899, Statutes of 2004 (Alpert).

BACKGROUND

SB 6 was created as part of the settlement agreement in the case of *Williams v. State of California*. The objectives of SB 6 are to identify the current conditions of the facilities (Needs Assessment) and to provide funding for the Emergency Repairs Program (ERP).

DISCUSSION

SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM

The legislature provides \$25 million for the schools districts with eligible school sites to perform a one-time needs assessment. Each site will be allocated a minimum of \$7500 or \$10 per pupil. Important dates for the program are:

01/26/2005	SAB adopts regulations
02/23/2005	SAB apportions funds
04/29/2005	Districts submit preliminary needs assessment reports to OPSC
06/30/2005	SAB/OPSC submit preliminary needs assessment report to the Governor and Legislature
01/01/2006	Districts submit final needs assessment to OPSC

Regulation Sections 1859.310 through 1859.318, as shown on the Attachment, provide details on the apportionment of funding, qualifications of inspectors, program reporting requirements and eligible expenditures. The proposed regulations also include the *School Facilities Needs Assessment*, Form SAB 61-01 and the *School Facilities Needs Assessment Grant Program Expenditure Report*, Form SAB 61-02. The Form SAB 61-01 will be available as a Web-based form to be submitted on-line. The Attachment includes a version of the Form SAB 61-01 that illustrates the process for completing the on-line submittal and provides examples of the type of data to be collected.

SCHOOL FACILITIES EMERGENCY REPAIR PROGRAM

This bill provides for reimbursement of costs of emergency repairs at eligible school sites to mitigate any conditions of facilities that pose a threat to the health and safety of pupils or staff. Beginning with 2005/2006 Fiscal Year, funds will be made available annually to the School Facilities Emergency Repair Account in the amount of 50 percent of the unappropriated Proposition 98 Reversion Account or \$100,000,000, whichever is greater, until \$800 million has been appropriated. Key dates are:

01/26/2005	SAB adopts regulations
06/30/2008	SAB/OPSC reports to the Governor and Legislature on ERP fund expenditures

Regulation Sections 1859.320 through 1859.328, as shown on the attachment, outline the eligibility requirements for allocation of ERP funds. The regulations include the proposed *Emergency Repair Program Application for Reimbursement and Expenditure Report*, Form SAB 61-03.

ATTACHMENT

TITLE 2. CALIFORNIA ADMINISTRATIVE CODE
DIVISION 2. FINANCIAL OPERATIONS
CHAPTER 3. DEPARTMENT OF GENERAL SERVICES
SUBCHAPTER 4. OFFICE OF PUBLIC SCHOOL CONSTRUCTION
SUBGROUP 5.7. RELATING TO SCHOOL FACILITIES NEEDS ASSESSMENT AND
EMERGENCY REPAIR PROGRAM

Article 1. General Provisions and Definitions

Section 1859.300. Purpose.

These regulations implement the School Facilities Needs Assessment Grant Program and the Emergency Repair Program.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.70 and 17592.71, Education Code.

Section 1859.301. Director of General Services.

The Director of General Services, or the Director's legal designee, shall perform all acts necessary to carry out the provisions of these regulations except such functions as are reserved to the Board and to other agencies by law or by Sections 1859.300 through 1859.328, inclusive. These acts to be performed include, but are not limited to, entering into contracts to administer the regulations.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17070.20, Education Code.

Section 1859.302. Definitions.

For the purposes of these regulations, the terms set forth below shall have the following meanings, subject to the provisions of the Act:

"Act" means California Education Code (EC) Sections 17592.70 through 17592.73, inclusive, and 41207.5.

"Apportionment" means an allocation of funds by the Board for eligible School Facilities Needs Assessment Grant Program and Emergency Repair Program expenditures.

"Accepted Application(s)" means a district has submitted the application and all documents to the Office of Public School Construction that are required to be submitted with the application as identified in the General Information Section of the Form SAB 61-03, *Application For Reimbursement and Expenditure Report*, (New 01/05), as appropriate, and the Office of Public School Construction has accepted the application.

"Basic Apportionment" means the annual calculation of Deferred Maintenance Program funding pursuant to EC Section 17584(b).

"Board" means the State Allocation Board as established by Section 15490 of the Government Code.

"Built" means students were enrolled at the site during the enrollment reporting year as evidenced by the October 1999 CBEDS Report.

"CBEDS Report" means the enrollment information provided through the California Basic Educational Data System (CBEDS) by the school district to the California Department of Education.

"Cosmetic Repairs" means repairs that enhance the physical environment of the school and are not directly related to the mitigation of a health or safety hazard.

"Deferred Maintenance Program (DMP)" means the state deferred maintenance funding authorized by the EC Sections 17582 through 17588, inclusive.

"District Representative" means a member of the school district staff or other agent authorized to serve as District Representative to execute and file an application with the Board on behalf of the district and/or act as liaison between the Board and the district.

"Emergency Facilities Needs" shall have the meaning set forth in EC Section 17592.72(c)(1).

"Emergency Repair Program (ERP)" means the repair program implemented under the Act, Senate Bill 6, Chapter 899, Statutes of 2004.

"Emergency Repair Program Grant" means an Apportionment provided by the State to reimburse the district for the district's share of eligible costs, pursuant to EC Section 17592.72(c)(1) and Regulation Sections 1859.323 and 1859.323.1.

"Expended" means work has been completed, or services rendered, and a warrant has been issued for payment.

"Form SAB 61-01" means the *School Facilities Needs Assessment Report*, Form SAB 61-01 (New 01/05), which is incorporated by reference.

"Form SAB 61-02" means the *School Facilities Needs Assessment Expenditure Report*, Form SAB 61-02 (New 01/05), which is incorporated by reference.

"Form SAB 61-03" means the *Application For Reimbursement and Expenditure Report*, Form SAB 61-03 (New 01/05), which is incorporated by reference.

"Interim Evaluation Instrument" means the evaluation tool developed pursuant to EC Section 17002(d)(2).

"Like-Kind Material/System" means a building material or system that is substantially identical in function to the existing building material or system to be replaced.

"Needs Assessment" means the review of the facilities conducted pursuant to the Section 1859.315(b), the Form SAB 61-01 and EC Section 17592.70.

"Needs Assessment Grant" means the funding provided pursuant to EC Section 17592.70(c) and Sections 1859.312 and 1859.313.

"Nonessential Repairs" means repairs that are not directly related to the mitigation of a health or safety hazard.

"Office of Public School Construction (OPSC)" means the State office within the Department of General Services that assists the Board as necessary and administers the School Facilities Needs Assessment Grant Program and the Emergency Repair Program.

"Pupil" means a student enrolled in any grade Kindergarten through grade twelve.

"Ready for Apportionment" means a review of an Accepted Application has been completed by the OPSC and it has been determined that it meets all requirements of law for an apportionment, and the OPSC will recommend approval to the Board.

"Routine Restricted Maintenance Account" means the account into which funds are deposited by school districts pursuant to EC Section 17070.75.

"School Facilities Emergency Repair Account" means the account established pursuant to EC Section 17592.71(a).

"School Facilities Needs Assessment Program" means the one-time assessment implemented under the Act, Senate Bill 6, Chapter 899, Statutes of 2004.

"School Facility Program (SFP)" means the Leroy F. Greene School Facility Act of 1998, commencing with EC Section 17070.10.

"Section" means a section in these Subgroup 5.7 regulations.

"Unfunded List" means an information list of unfunded projects eligible pursuant to Sections 1859.320 through 1859.328, inclusive, and EC Section 17592.72.

"Web-Based Needs Assessment" means the on-line Form SAB 61-01 provided by the OPSC and available on the OPSC Website www.opsc.dgs.ca.gov for the purpose of submitting the Needs Assessment data electronically.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.70, 17592.71, 17592.72 and 17592.73, Education Code.

Article 2. School Facilities Needs Assessment Grant Program

Section 1859.310. General.

A school site that qualifies for the School Facilities Needs Assessment Grant Program according to the provisions of EC Section 17592.70(b) shall be allocated funds by the Board in order to conduct a one-time comprehensive school facilities needs assessment. A school district that receives funds under this Article shall be required to complete and submit a Web-Based Needs Assessment to the OPSC for each school site meeting the provisions of Section 1859.311.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

Section 1859.311. Eligibility Criteria.

A school district that has a school site meeting all of the following is eligible for the School Facilities Needs Assessment Grant Program:

- (a) The school was identified on the list published by the California Department of Education pursuant to EC Section 17592.70(b).
- (b) The school was Built prior to January 1, 2000.
- (c) The school site is publicly owned, including the buildings and the land it occupies.
- (d) The Pupils receive Classroom-Based Instruction at the school site.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

Section 1859.312. Apportionment of Funds.

The Board shall allocate ten dollars (\$10) per Pupil enrollment, according to the 2003 CBEDS Report, for each school site identified by Section 1859.311. A minimum allocation of seven thousand five hundred dollars (\$7,500) shall be made for each eligible school site. Once an apportionment has been made by the Board, funds will be released by OPSC to the school district with jurisdiction over the eligible school site along with requirements for the money to be spent at the eligible school site(s) in accordance with Section 1859.313.

Note: Authority Cited: Section 17592.73, Education Code

Reference: Section 17592.70, Education Code.

Section 1859.313. Use of Needs Assessment Grant Funds.

The district shall only use the Needs Assessment Grant funds for the following:

- (a) Unbudgeted administrative or third party costs incurred as a result of performing the Needs Assessment.
- (b) Repairs identified in Part V of the Form SAB 61-01 at any eligible school site in the district where a Needs Assessment has been completed.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

Section 1859.314. Qualifications of the Inspector.

The person(s) performing the Needs Assessment must satisfy both (a) and (b), below:

(a) The person(s) must:

(1) Have in-depth knowledge, with a minimum of three years of experience, in facilities construction, operation, and maintenance, including experience with cost estimation and building systems life cycle analysis; and,

(2) Personally perform the on-site assessment of the school site(s).

(b) To ensure independence, the person(s) must be a non-interested third party, which include any the following:

(1) Staff from another district;

(2) Staff from the county office of education;

(3) A private entity specializing in school facilities; or

(4) For districts with multiple independent or autonomous facilities divisions, the facility person from one division may perform the Needs Assessment for a school site under the jurisdiction of another facilities division.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.73, Education Code.

Section 1859.315. Program Reporting Requirements.

A school district that receives a School Facilities Needs Assessment Grant pursuant to Section 1859.311 shall:

(a) Complete and submit a progress report in narrative form for each applicable site that identifies the following information by April 29, 2005, if the Needs Assessment has not been completed pursuant to subsection (b), below:

(1) Name, title, and contact information of person(s) meeting Section 1859.314 that have been assigned to perform the Web-Based Needs Assessment.

(2) The section(s) of the Needs Assessment performed to date.

(3) Necessary repairs identified to date.

(b) Complete a Web-Based Needs Assessment for each applicable site and submit to the OPSC by January 1, 2006.

(c) Complete Form SAB 61-02 to report all expenditures made with Needs Assessment Grant funds on a district-wide basis and submit to the OPSC by September 1, 2006.

Note: Authority Cited: 17592.73, Education Code.

Reference: 17592.70, 17592.73, Education Code.

Section 1859.316. Needs Assessment Grant Expenditures and Audit.

The projects shall be subject to audit to ensure that expenditures incurred by the district were made in accordance with the provisions of Sections 1859.313 and 1859.314. Any funds not Expended on the Needs Assessment or eligible repairs at the time of submittal of the Form SAB 61-02 shall be returned to the OPSC.

After the OPSC receives the expenditure report from the district on the Form SAB 61-02 and the district is notified of an impending Needs Assessment audit, an audit of the expenditures by the OPSC shall commence within six months. The OPSC shall complete the audit within six months of the notification unless additional information requested from the district has not been received.

Should the OPSC conduct an audit of the expenditures and information, which may include certifications, for expenditures made pursuant to Section 1859.311 and make a finding that some or all of the expenditures were not made in accordance with the provisions of the Education Code Section 17592.70(d), the OPSC shall recommend to the Board that the Apportionment be adjusted based on the audit findings. Upon adoption of the audit findings by the Board, the district must submit a warrant for any amount identified as being owed within 30 days of the Board action. If this does not occur, the OPSC shall initiate collection procedures.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

Section 1859.317. Duplication of Needs Assessment Grant Expenditures.

If the district's expenditures for the Needs Assessment Grant involve proposed work also included in a SFP or Deferred Maintenance Program (DMP) project, the district must ensure all of the following:

- (a) Emergency Repair Program Grant funds are used to supplement, not supplant, funds already available for maintenance of school facilities.
- (b) No work or expenditures are duplicated.
- (c) After eliminating the work to be funded with the Needs Assessment Grant from the SFP or DMP project, the remaining work continues to meet the SFP or DMP requirements.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: 17592.73, Education Code.

Section 1859.318. Remaining Needs Assessment Grant Funds.

Any funds unapportioned or returned to the OPSC pursuant to Section 1859.316 shall be transferred into the School Facilities Emergency Repair Account.

Note: Authority Cited: Section 17592.73.

Reference: Education Code Section 41207.5.

Article 3. Emergency Repair Program

Section 1859.320. General.

A district seeking an Emergency Repair Program Grant for reimbursement of a project meeting the provisions of EC Section 17592.72(c)(1), shall complete and file a Form SAB 61-03. Each application may consist of the repair or replacement of only one building component or system and any work directly related to that repair or replacement..

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.321. Eligibility Requirements.

A school district that has a school site meeting all of the following is eligible to submit a Form SAB 61-03:

- (a) The school was identified on the list published by the California Department of Education pursuant to EC Section 17592.70(b).
- (b) The school was Built prior to January 1, 2000.
- (c) The school site is a publicly owned, including the facility and the land it occupies.
- (d) The pupils receive Classroom-Based Instruction at the school site.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.70 and 17592.72, Education Code

Section 1859.322. Emergency Repair Program Project Funding Order.

The Board shall fund ERP applications in the order of receipt of an Accepted Application as follows:

- (a) If sufficient funding is available to provide funding to all applications presented that month, all applications will receive a full and final apportionment of the eligible costs.
- (b) If funding is insufficient in any given month:
 - (1) Apportionments will be provided to each application on a prorated basis with the balance placed on the Unfunded List, unless the proration will result in funding less than 25 percent of the eligible project costs. The proration shall be determined by dividing the total funds available by the total eligible costs of all applications Ready for Apportionment.
 - (2) If the proration, as determined in (1) above, will be less than 25 percent of the eligible project costs, the Board shall provide funding at 100 percent of the eligible project costs based on date order received until funds are no longer available and the remaining applications shall be placed on the Unfunded List.
 - (3) The Board will continue to accept and process applications for the purpose of developing an Unfunded List based on the order of receipt of the Accepted Application for funding.

When funds become available, projects on the Unfunded List will be apportioned in order of receipt. Once an Apportionment has been made by the Board, funds will be released by the OPSC.

Once eight hundred million dollars (\$800,000,000) have been apportioned by the Board: any applications that have received a prorated Apportionment will be deemed a full and final Apportionment, any applications remaining fully unfunded on the Unfunded List will be returned to the district, and the Unfunded List shall be dissolved.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.71, Education Code.

Section 1859.323. Eligible Project Costs.

Reimbursement will be provided to meet the district share of the repair costs of essential Emergency Facilities Needs as specified in Education Code Section 17592.72(c)(1). Reimbursement of eligible projects costs shall be limited to the minimum work required to mitigate the health and/or safety hazard. Replacement is permitted only if it is more cost-effective to replace rather than repair a component or system that poses a health or safety threat to pupils or staff while at school. Replacement of a school facility component shall be limited to the use of a Like-Kind Material/System except in the following circumstances and as supported by a cost/benefit analysis:

- (a) The work in the project proposes to use an alternative building material or system that performs the same function as a no longer available building material or system; or
- (b) The work in the project proposes to use an alternative building material or system which is requested by the district and is less costly than a Like-Kind Material/System replacement.

If the request is for replacement components or systems, a cost/benefit analysis must be prepared by the district and submitted with the Form SAB 61-03 to the OPSC that indicates the total costs to mitigate the problem is at least 75 percent of the current replacement cost of the component or system. If the cost to repair the component or structure is less than 75 percent of the current replacement cost, only costs to repair the component or structure are reimbursable.

If the request is for alternative replacement components or systems pursuant to (a) or (b) above, the cost/benefit analysis must also indicate that the alternative building material or system is less than 75 percent of the cost of replacement with a Like-Kind Material/System.

If the request is for replacement components or systems that included structural deficiencies, the cost/benefit analysis must also include a report from a licensed design professional identifying the minimum work necessary to obtain Division of the State Architect approval. The report must contain a detailed cost estimate of the repairs. The report and cost estimate shall be subject to review by the OPSC for conformance with the Saylor Current Construction Cost Publication and, at the OPSC's discretion, the Division of the State Architect.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.323.1. Ineligible Expenditures.

An Emergency Repair Program Grant may not be used for any of the following:

- (a) New square footage, components, or building systems that did not previously exist.
- (b) Nonessential Repairs.
- (c) Cosmetic Repairs.
- (d) Land acquisition.
- (e) Furniture and equipment.
- (f) Salaries of district employees.
- (g) Items covered under warranty or by insurance.
- (h) Costs normally borne by others including, but not limited to, public utility companies.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.324. Reimbursement.

An Emergency Repair Program Grant may be used to reimburse districts for eligible costs, as defined by Section 1859.323, that meet all of the following provisions:

- (a) Contracts for services or work were entered into on or after September 29, 2004; and,
- (b) Expended on or after September 29, 2004; and,
- (c) Expended prior to the submittal of the Form SAB 61-03.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.325. School Facility Due Diligence.

To ensure that the district is exercising due diligence in the administration of its facility accounts and is using an Emergency Repair Program Apportionment to supplement existing funding requirements prescribed in statute for school facilities, the OPSC will conduct a review of the following district accounts:

- (a) Routine Restricted Maintenance Account, established pursuant to EC Section 17070.75(b)(2) to ensure that the district deposited and Expended the required funding level for the fiscal year prior to Apportionment.
- (b) Deferred Maintenance Account, established pursuant to EC Section 17582, to ensure that the district deposited and Expended an amount equal to the Basic Apportionment provided by the Board prior to the Apportionment for the Emergency Repair Program.

In the event that the Board finds that a district is failing to exercise due diligence or supplantation has occurred, the Board shall notify the county superintendent of schools in which the school district is located and may deny future funding under these regulations.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.326. Emergency Repair Program Application Expenditures and Audit.

The projects shall be subject to audit to ensure that the expenditures incurred by the district were made in accordance with the provisions of Sections 1859.323 through 1859.325, inclusive.

After a final Apportionment has been made, and the OPSC notifies the district of an impending ERP audit of the expenditures reported on the Form SAB 61-03, an audit by the OPSC shall commence within six months of the report. The OPSC shall complete the audit within six months of the notification unless additional information requested from the district has not been received.

Should the OPSC conduct an audit of the expenditures and information provided by the district, which may include certifications, for the project and make a finding that some or all of the expenditures were not made in accordance with the provisions of the Education Code Section 17592.72(c) and Regulations Sections 1859.323 through 1859.325, inclusive, the OPSC shall recommend to the Board that the apportionment be adjusted based on the audit findings. Upon adoption of the audit findings by the Board, the district must submit a warrant for any amount identified as being owed within 30 days of the Board action. If this does not occur, the OPSC shall initiate collection procedures.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.72 and 17592.73, Education Code.

Section 1859.327. Duplication of Emergency Repair Program Expenditures.

If the district's expenditures for the Emergency Repair Program Grant involve proposed work also included in a SFP or Deferred Maintenance Program (DMP) project, the district must ensure all of the following:

(a) Emergency Repair Program Grant funds are used to supplement, not supplant, funds already available for maintenance of school facilities.

(b) No work or expenditures are duplicated.

(c) After eliminating the work to be funded with the Emergency Repair Program Grant from the SFP or DMP project, the remaining work continues to meet the SFP or DMP requirements.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.328. Withdrawal and Amendment of Applications.

In the event a district has omitted expenditures from the Form SAB 61-03 at the time of submittal and the project has not received an Apportionment from the Board, the district may withdraw its application and resubmit a revised Form SAB 61-03. The resubmitted application will receive a new processing date by the OPSC. If the Board has already provided an Apportionment for the project, the district will not be able to receive additional funding for the project and the Apportionment provided by the Board will be considered full and final.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.72 and 17592.73, Education Code.

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GENERAL INFORMATION

This Form is to be used to perform a one-time school site needs assessment for all eligible schools as defined by Section 1859.311.

The Form shall be completed and submitted to the OPSC via the internet with a certification document which requires an original signature to be mailed to the OPSC. Both submittals must be received by the OPSC no later than January 1, 2006. Districts that have completed the assessment and submitted it to the OPSC via the Web Based Needs Assessment program are required to print out the certification page and mail it to the OPSC along with a site diagram of the school identifying all buildings on the site.

The person(s) completing the assessment and signing the certification portion of the form must possess the necessary qualifications as described in the Regulation Section 1859.314.

SPECIFIC INSTRUCTIONS

Part I.

Needs Assessment Identification Number. This number is assigned to each school site that is required to submit the School Facility Needs Assessment. The number is generated by the OPSC at the time of the Needs Assessment Grant apportionment and is provided by the on-line Form automatically once the district selects the school site to be assessed from the list provided.

Section A. Complete this section in its entirety. The information regarding the district and site codes may be obtained on the California Department of Education's website at <http://www.cde.ca.gov/re/sd/>.

Section B. Indicate any additional participants that provided input for the needs assessment preparation.

Section C. Complete this section as follows:

- a. No input required. Information in this field is automatically provided using the CDE database.
- b. Indicate the site size measured in Useable Acres as defined by the School Facility Program Regulation Section 1859.2.
- c. No input required. Represents pupil density utilizing data from the fields above.
- d. Indicate if this site operates on a multitrack year-round calendar, and, if so, what type.
- e. Indicate what type of facility is used for pupil dining which is not designated for classroom instruction.

Part II. Facility Inventory

List each building separately. Use the "Add Building" button to enter the information for additional buildings on site.

- a. Enter the building identification number/letter as indicated on the site map to be submitted to the OPSC with the Certification page of the Form. Identify only those buildings on site that house children and staff as part of the regular school curriculum.
- b. Indicate whether the building is of permanent or portable construction.
- c. Indicate the total interior square footage of the building.
- d. Indicate the year of original construction.
- e. Indicate the year of the last building modernization including projects funded with any funding sources.
- f. Select the type of facility from the drop-down menu provided. If the needed selection is not available, use the "other" category and provide the facility type in the blank field. If there is more than one type of facility housed in the same building, click the "Add Facilities to Building" button and select from the new drop-down menu.
- g. When indicating "Classrooms" option in part f, enter the number of classrooms by grade level.

The on-line system will provide summary of the following elements:

- The age and number of portable classrooms at the school
- The pupil capacity of the site measured by multiplying the number of classrooms by the appropriate State loading standard

Part III. Useful Life of Major Building Systems

Use this section to identify useful life remaining of all major building systems for each building identified in Part II of the Form.

- a. Select from the drop-down box the building to be inspected.
- b. Select from the drop-down box a type of system to be inspected.
- c. Select from the drop-down box the appropriate sub-system. If there is no applicable sub-system listed in the drop-down box, use the option "other" and type in the description of the sub-system in the box provided.
- d. Select from the drop-down box the appropriate element or material to be inspected. If there is no applicable selection listed in the drop-down box, use the option "other" and type in the description of the element or material in the box provided.
- e. Enter the number of years representing the useful life remaining of each component. Negative number of years indicates that the component has exceeded its useful life.

Part IV. Five-Year Costs to Maintain Functionality

Part A. Complete this section by estimating costs for each of the five years to maintain functionality of each building to provide health, safety, and suitable learning environment. Once all worksheets are completed with detailed costs, the "summary" function may be used to generate a summary of costs by building and year, which will constitute Part B of the Form.

Part B. This is a summary page generated from the detailed listing of five-year maintenance costs identified in Part A. No manual input is necessary.

Part V. Necessary Repairs

Use this form to identify the necessary repairs at the school site including any health and safety items. Use the "Add New Item" button to add as many repair items as necessary. The dollar values assigned to the costs of the repairs are to be included in the district's first year cost estimate to maintain functionality of the facilities in Part IV of the form.

Part VI. Certification

Complete, print, sign and mail the certification portion of the Form to the OPSC at the following address:

Office of Public School Construction
1130 K Street, Suite 400
Sacramento, CA 95814

Attach a site diagram of the school identifying all buildings on the site.

*Refer to
EXCEL
VERSION
OF
NEEDS
ASSESSMENT*



STATE OF CALIFORNIA
SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM
DISTRICT EXPENDITURE REPORT
SAB 61-02 (NEW 01/05)

DRAFT

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
PAGE 1 OF 1

SCHOOL DISTRICT

CDS CODE

BUSINESS ADDRESS

COUNTY

PREPARER'S NAME (TYPED)

PREPARER'S TITLE (TYPED)

TELEPHONE NUMBER/E-MAIL ADDRESS

DISTRICT REPRESENTATIVE NAME (TYPED)

DISTRICT REPRESENTATIVE TITLE (TYPED)

TELEPHONE NUMBER/E-MAIL ADDRESS

INSTRUCTIONS – (refer to Title 2, California Code of Regulation Sections 1859.300 through 1859.318)

1. Enter the amount of State apportionment received pursuant to Section 1859.312.
2. Enter the amount of interest earned on State funds.
3. Enter the total amount of State funds spent to complete the Form SAB 61-01. Provide a listing of expenditures on the Form SAB 61-02A to be completed by the district and attach.
4. Enter the total amount of State funds spent for repairs identified in Part V of the Form SAB 61-01. Provide a listing by district of each expenditure on the SAB 61-02A and attach.

Contact the Office of Public School Construction for the Form SAB 61-02A to assist the district in reporting the district expenditures or download the form at the OPSC Web site at www.opsc.dgs.ca.gov. Additional information may be requested to complete the audit.

This form is due by September 1, 2006.

<i>Submit to:</i> <i>Department of General Services Office of Public School Construction Attn: Needs Assessment Audits 1130 K Street, Suite 400 Sacramento, CA 95814</i>	DESCRIPTION	AMOUNT
	1. STATE FUNDS	
	2. INTEREST EARNED	
	3. EXPENDITURES FOR PERFORMING NEEDS ASSESSMENT	
	4. EXPENDITURES FOR REPAIRS IDENTIFIED ON NEEDS ASSESSMENT	
	5. REMAINING FUNDS	

I certify, as the District Representative, that the information reported on this form is true and correct and that:

- *I am designated as an authorized district representative by the governing board of the district; and,*
- *Under penalty of perjury, under the laws of the State of California, the foregoing statements are true and correct, and that the Public Contract Code was adhered to in the use of these grant funds; and,*
- *This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail.*

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

DRAFT

GENERAL INFORMATION

A district may use this form to apply for reimbursement of Emergency Facilities Needs repairs at eligible school sites as defined by Section 1859.311. For purposes of this Apportionment the following documentation must be submitted with this form:

PART A

- Division of the State Architect (DSA) approved specifications and plans (if applicable)
- Documentation substantiating the health and/or safety threat may include:
 - Photos showing the condition of the project prior to the repair work being performed
 - Items identified on the School Site Conditions Evaluation performed by the County Office of Education
 - Copies of complaints made by parents, students, or staff referencing the problem
- A cost/benefit analysis prepared pursuant to Section 1859.323 (if applicable)

PART B

- Copy of all construction contracts and schedule of values
- Copy of all change orders (if applicable)
- Copy of all purchase orders or purchase agreements (if applicable)
- Copy of architect agreement and schedule of fees

The closeout audit will be performed after the final Apportionment is made by the Board in accordance with Regulation Section 1859.326. For audit purposes, additional documentation may be requested at a later date.

SPECIFIC INSTRUCTIONS

PART A. PROJECT INFORMATION

1. Type of Health and Safety Project

Check the appropriate box to indicate if the district had to repair or replace the building system or component to mitigate the health and/or safety threat.

2. Type of Building System

Check the box indicating the type of system the application is addressing. The district may check only one building system project per application. Multiple applications may be submitted per school site.

3. Type of Facility

Check the box(es) that identify the location(s) where the repair work was performed.

4. Statement of Condition

Provide a concise statement of the conditions which pose the threat to the health and/or safety of the students and staff at the school site.

5. Description of Work/Scope of Project

Provide a detailed narrative of the repairs that were required to mitigate the threat to the health and/or safety of students and staff.

6. Project Costs

Provide a breakdown of project cost information based on the district's actual expenditures. The total should match the total amount of expenditures listed in Part B of the Form. This must include only costs directly related to and necessary for the eligible project.

SPECIFIC INSTRUCTIONS (cont.)

PART B EXPENDITURE REPORT

List the total expenditures for the project.

1. Planning

ARCHITECT/ENGINEERING FEES: Enter the fees as negotiated in the Architect's agreement to design and engineer the construction project.

DSA FEES: Enter the fees as determined by the DSA as required by law.

INSPECTIONS: Enter the amount paid for inspection services provided.

OTHER COSTS: Enter any other planning costs.

2. Construction

MAIN CONSTRUCTION: Enter the amount paid to the main building contractor.

CONSTRUCTION MANAGEMENT: Enter the amount paid to the construction manager of the project to supervise the building construction.

DEMOLITION: Enter any costs associated with the demolition of existing buildings in preparation for construction.

OTHER CONSTRUCTION: Enter any construction costs not included in the main construction contract.

INTERIM HOUSING: Enter the amount paid for interim housing units to house students during building modernization.

HAZARDOUS WASTE REMOVAL: Enter the costs to remove hazardous material from the school site including Department of Toxic Substances Control (DTSC) fees, CDE fees, Preliminary Endangerment Assessment costs, Phase One Environmental Site Assessment costs, and the Response/Removal Action Plan costs as required by DTSC.

APPLICATION FOR REIMBURSEMENT AND EXPENDITURE REPORT
EMERGENCY REPAIR PROGRAM
FORM SAB 61-03 (NEW 01/05)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
PAGE 3 OF 6

SCHOOL DISTRICT	APPLICATION NUMBER
SCHOOL NAME	FIVE-DIGIT DISTRICT CODE (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
COUNTY	SEVEN-DIGIT SITE CODE (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)

Part A. Project Information

- | | | | | | | | | | | | | | | | | | | | |
|--|--|-------------------------------|--------------------------------|---|------------------------------|--------------------------------|-------------------------------------|--|--|---|------------------------------------|--|---------------------------------------|---|--|---------------------------------------|------------------------------------|----------------------------------|--|
| <p>1. TYPE OF HEALTH AND SAFETY PROJECT (check one):</p> <p><input type="checkbox"/> Repair <input type="checkbox"/> Replacement</p> <p>2. TYPE OF BUILDING SYSTEM (check one):</p> <table border="0"><tr><td><input type="checkbox"/> Sewer</td><td><input type="checkbox"/> HVAC</td></tr><tr><td><input type="checkbox"/> Water</td><td><input type="checkbox"/> Fire/Life Safety</td></tr><tr><td><input type="checkbox"/> Gas</td><td><input type="checkbox"/> Other</td></tr><tr><td><input type="checkbox"/> Electrical</td><td></td></tr></table> | <input type="checkbox"/> Sewer | <input type="checkbox"/> HVAC | <input type="checkbox"/> Water | <input type="checkbox"/> Fire/Life Safety | <input type="checkbox"/> Gas | <input type="checkbox"/> Other | <input type="checkbox"/> Electrical | | <p>3. TYPE OF FACILITY (check all that apply):</p> <table border="0"><tr><td><input type="checkbox"/> Classrooms/Instructional</td><td><input type="checkbox"/> Gymnasium</td></tr><tr><td><input type="checkbox"/> Counseling Area</td><td><input type="checkbox"/> Multipurpose</td></tr><tr><td><input type="checkbox"/> Administrative Space</td><td><input type="checkbox"/> Accessibility</td></tr><tr><td><input type="checkbox"/> Dining Space</td><td><input type="checkbox"/> Restrooms</td></tr><tr><td><input type="checkbox"/> Library</td><td><input type="checkbox"/> Subsidiary Facilities</td></tr></table> | <input type="checkbox"/> Classrooms/Instructional | <input type="checkbox"/> Gymnasium | <input type="checkbox"/> Counseling Area | <input type="checkbox"/> Multipurpose | <input type="checkbox"/> Administrative Space | <input type="checkbox"/> Accessibility | <input type="checkbox"/> Dining Space | <input type="checkbox"/> Restrooms | <input type="checkbox"/> Library | <input type="checkbox"/> Subsidiary Facilities |
| <input type="checkbox"/> Sewer | <input type="checkbox"/> HVAC | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Water | <input type="checkbox"/> Fire/Life Safety | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Gas | <input type="checkbox"/> Other | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Electrical | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Classrooms/Instructional | <input type="checkbox"/> Gymnasium | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Counseling Area | <input type="checkbox"/> Multipurpose | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Administrative Space | <input type="checkbox"/> Accessibility | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Dining Space | <input type="checkbox"/> Restrooms | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Library | <input type="checkbox"/> Subsidiary Facilities | | | | | | | | | | | | | | | | | | |

4. STATEMENT OF CONDITION:

5. DESCRIPTION OF WORK/SCOPE OF PROJECT:

6. PROJECT COSTS:	\$
I. Planning Cost	\$
II. Repair/Replacement Cost	\$
III. Testing	\$
IV. Inspection	\$
Total Project Cost	\$

APPLICATION FOR REIMBURSEMENT/EXPENDITURE REPORT
EMERGENCY REPAIR PROGRAM
 FORM SAB 61-03 (NEW 01/05)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
PAGE 4 OF 6

PART B. Expenditure Report

TOTAL EXPENDITURES FOR THE PROJECT:	\$
-------------------------------------	----

1. Planning

School Site:			School District:			County:			Application Number:	
DATE	PAYEE	WARRANT NUMBER	ARCHITECT/ ENGINEERING/ CONSULTING FEES	DSA FEES	INSPECTIONS	OTHER COSTS	DESCRIPTION/PURPOSE			
			\$	\$	\$	\$				

APPLICATION FOR REIMBURSEMENT/EXPENDITURE REPORT
EMERGENCY REPAIR PROGRAM
 FORM SAB 61-03 (NEW 01/05)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
PAGE 5 OF 6

2. Construction

School Site:			School District:			County:			Application Number:
DATE	PAYEE	WARRANT NUMBER	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	HAZARDOUS WASTE REMOVAL	DESCRIPTION/PURPOSE
			\$	\$	\$	\$	\$	\$	

Certifications:

I certify, as the District Representative, that the information reported on this form is true and correct and that:

- I am designated as an authorized representative by the governing board of the school district;
- The repairs in this project were necessary to mitigate conditions that posed a threat to the health and safety of pupils or staff while at school;
- The district has complied with all laws pertaining to the repair of its school facilities;
- The district has complied with the Public Contract Code;
- The district has satisfied the supplement, not supplant requirement by expending funds in its Routine Restricted Maintenance Account and Deferred Maintenance Program Account;
- The contracts for services or work in this project were not entered into prior to September 29, 2004;
- The district understands that expenditures occurring after the submittal of this application are ineligible for reimbursement;
- The grant amount provided by the SAB shall be deemed full and final apportionment;
- The district understands that some or all of the ERP funding for the project may be returned to the SAB as a result of an Audit pursuant to Regulation Section 1859.326;
- The district did not receive funding from any other source for the work requested in this application;
- The district has obtained the Division of State Architect's approval of the plans and specifications, if required;
- This Form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail; and,

I certify under penalty of perjury under the laws of the State of California that the statements in this application and supporting documents are true and correct.

PRINT NAME OF DISTRICT REPRESENTATIVE	TITLE
SIGNATURE	DATE

SCHOOL FACILITY NEEDS ASSESSMENT

SAB 61-01 (NEW 01/05)

Needs Assessment Identification Number

--

Part I.**Section A.**

District Name:

5-digit district code:

Site Name:

9-digit site code:

Inspection by:

Title:

Telephone Number:

E-mail Address:

Date & Time Completed:

Weather Conditions:

DRAFT**Section B. Additional Participants:**

Name:	Title/Representative of:	Telephone Number:

Section C.

a. 2003 CBEDS:

b. Site Size:

c. Site Density:

d. MTYRE:

Type of MTYRE:

e. Lunch Facility:

*** pupils per acre
<i>select Yes or No</i>
<i>drop down: Concept 6, etc.</i>
<i>drop down: auditorium, lunch shelter, gymnasium, multipurpose, other</i>

SCHOOL FACILITY NEEDS ASSESSMENT

SAB 61-01 (NEW 01/05)

Part II - Facility Inventory

a. Building ID	b. Construction Type*	c. Building Square	d. Year of Construction	e. Year of Modernization	f. Facility Type**	g. Number of Classrooms				
						K-6	7-8	9-12	Non-Severe	Severe
A	Permanent	25,000	1956	1986	Classrooms		5	15		
					Library					
					Nurse's Office					
B	Permanent	40,000	1956	1986	Classrooms			10		
					Multi-purpose					
					Counselling					
C	Permanent	30,000	1956	n/a	Admin					
					Classrooms		7			
D	Portable	1,920	1989	1989	Classrooms				2	
E	Permanent	20,000	1980	n/a	Gym					

*a drop-down box will be provided for each building with 2 selections available

EXAMPLE

**A drop-down box will be provided for each building to include as many types of facilities as needed, i.e. it is possible to have a building that contains more than one type of facility (classrooms and a library in one building, for example)

Add Building

Add Facility to Building

Portable Classrooms Summary	
Age	Number
1989	2
TOTAL	2

Pupil Capacity	K-6	7-8	9-12	Non-Severe	Severe
	0	324	675	26	0
TOTAL	1025				

Part III - Useful Life of Major Building Systems

a. Building	b. System	c. Sub-system*	d. Elements/ Materials**	e. Useful Life Remaining (years)
A	Structural	Roofing	Composition Shingles	-5
A	Structural	Siding	Plywood	-10
A	Structural	Flooring	Sheet Vinyl	-12
A	Mechanical	HVAC	Central Type (Central Boiler - Hydronic Heating/Cooling Tower)	2
A	Plumbing	Sewer	Cast Iron	1
A	Electrical	Building Transformer	Dry Type	2
A	Fire & Life Safety	Auto. Sprinkler System	Other	3
B	Structural	Roofing	Membrane Roofing - Single-ply	12
B	Mechanical	HVAC	Split System	8

**The inspector will be able to select from the list of appropriate sub-systems or use the option "other" to type in a name of a sub-system that is not available in the drop-down box.*

***The inspector will be able to select from the list of appropriate elements or materials and/or use the option "other" to type in a name of an element or material that is not available in the drop-down box.*

Add an Item

EXAMPLE

SCHOOL FACILITY NEEDS ASSESSMENT

SAB 61-01 (NEW 01/05)

Part IV - Five-Year Costs to Maintain Functionality**A. Cost Detail****COST ESTIMATE FOR BUILDING***(A drop down box will be provided with the selection of buildings identified in Part II.)*

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	Total Estimate
Roofing						\$ -
Siding						\$ -
Flooring						\$ -
Painting						\$ -
Potable/Drinking Water						\$ -
Sewer						\$ -
Water Heater						\$ -
HVAC/HV						\$ -
Electrical						\$ -
Lighting						\$ -
Gas						\$ -
Fire & Life Safety						\$ -
Security						\$ -
Accessibility						\$ -
Other						\$ -
Total Cost Estimate	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Add Cost Estimate for Another Building

Summary

*The cost estimate information would be automatically compiled and summarized in Part IV -B.***B. Cost Summary**

BUILDING	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
TOTAL	\$	\$	\$	\$	\$	\$

The building description in Part II, Facility Inventory, provides the detail on facilities housed in each building, such as classrooms, admin. space, etc. The data assembled in the OPSC internal database may be queried to generate cost information for certain facility type, such as classrooms (cumulative of all buildings on site.)

Part V - Necessary Repairs

Repair Item Number	Building System	Location	Description of the Deficiency	Description of the Repair	Estimate of the Repair
1	Interior Construction	Classrooms 8, 10, 12	Broken glass windows	Install new window	\$ 1,480.00
2	Plumbing system	Girls Restroom, Bldg A, 2nd Floor	Cracked and leaky toilet	Replace existing toilet	\$ 450.00
TOTAL					\$ 1,930.00

Add New Item

EXAMPLE

SCHOOL FACILITY NEEDS ASSESSMENT

SAB 61-01 (NEW 01/05)

Part VI - Certification

Needs Assessment Identification Number

SCHOOL DISTRICT:		COUNTY:
SCHOOL NAME:		CDS CODE:
SCHOOL ADDRESS:		
COMPLETED BY:	TITLE:	
REPRESENTATIVE OF:		
PHONE NUMBER:	E-MAIL ADDRESS:	

PLEASE SUBMIT A SITE DIAGRAM IDENTIFYING ALL BUILDINGS ON SITE.

I, _____, certify that I possess the necessary qualifications as specified in the Regulation Section 1859.314. I made the above findings during my review of this school site on _____ at _____ am/pm. I certify that the information provided above is true and correct.

SIGNATURE

DATE

I certify, as the District Representative, that the information reported on this form is true and correct and that:

- I am designated as an authorized District Representative by the governing board of the district or the designee of the Superintendent of Public Instruction;
- The individual named above has demonstrated to me that he/she possesses the necessary qualifications as specified in the Regulation Section 1859.314.
- The information provided herein is true and correct and was presented at a regularly scheduled school district board meeting on _____.

SIGNATURE

DATE

SAVE

EDIT

PRINT REPORT

SUBMIT

PRINT CERTIFICATION

Printed on _____

Submitted on _____

STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE
November 5, 2004

WILLIAMS SETTLEMENT - SENATE BILL 550

PURPOSE

To implement the provisions of Senate Bill (SB) 550, Chapter 900, Statutes of 2004 (Vasconcellos), impacting the Office of Public School Construction (OPSC).

BACKGROUND

SB 550 was created as a part of the settlement agreement in the case of *Williams v. State of California*.

DISCUSSION

The following two parts of SB 550 impact the OPSC:

INTERIM EVALUATION INSTRUMENT (IEI)

The OPSC is required to develop a tool (the IEI) to measure whether a facility is in "good repair" as defined by clean, safe, and functional, pursuant to Education Code Section 17002(d). In addition, SB 550 requires the OPSC to report and make recommendations to the Governor and Legislature, regarding options for state standards by December 31, 2005. This may involve reviewing the effectiveness of the IEI and further considerations of other options for state standards.

FACILITIES INSPECTION SYSTEM

Beginning with the 2005/2006 Fiscal Year, school districts shall establish a school facilities inspection system as a condition of participation in the School Facility Program or the receipt of funding for the Deferred Maintenance Program. The purpose of the inspection system is to ensure that schools are kept in good repair. To meet this requirement, school districts will be required to certify that an inspection system has been established. The OPSC will include a certification to the following forms:

- *Application for Funding*, (Form SAB 50-04)
- *Application for Joint-Use Funding*, (Form SAB 50-07)
- *Application for Charter School Preliminary Apportionment*, (Form SAB 50-09)
- *Deferred Maintenance Five Year Plan*, (Form SAB 40-20)

DRAFT

**INTERIM EVALUATION INSTRUMENT
SCHOOL FACILITY CONDITIONS EVALUATION
SENATE BILL 550**

School Site Information	
School District:	
County:	
School Site:	
Evaluator Information	
County Office of Education:	Date and Time of Review:
Name(s):	Title:
1.	1.
2.	2.
3.	3.

GENERAL INFORMATION

Subdivision (c)(2)(A) of Education Code Section (ECS) 1240 requires County Offices of Education (COE) to annually visit and describe the state of the schools in the county of his or her office that are ranked in deciles 1 to 3, inclusive, of the 2003 base Academic Performance Index (The Superintendent of Public Instruction will publish a list of these schools, pursuant to subdivision (b) of ECS 17592.70. See www.cde.ca.gov/). Further, subsection (ii) of subdivision (c)(2)(E) of ECS 1240, County Offices of Education are required to evaluate school facilities to determine whether the condition of a facility poses an emergency or urgent threat to the health or safety of pupils or staff. This tool is intended to assist County Offices of Education in performing that evaluation.

Subdivision (d) (1) of ECS 17002 requires the Office of Public School Construction (OPSC) to develop an interim evaluation instrument to determine whether a facility is in “good repair”, or maintained in a manner that assures that facilities are clean, safe and functional. This tool is also intended to assist in that determination, as well.

The following sections describe the different parts of the evaluation tool. When completing each part, include the building number and/or classroom number that was evaluated. This number should correspond to the school's site map, which should be consistent with the site map used for the school facilities needs assessment conducted pursuant to ECS 17592.70.

PARTS A-H. Subdivision (c)(1) of ECS 17592.72 defines "emergency facilities needs" projects; Parts A-H (pages 3 and 4) of this evaluation form address those types of facility repairs. Check the appropriate box that indicates the “yes” or “no” answer to each question. Note that in Parts A-H, a "yes" response indicates a deficiency and page 5 of this form may be used to comment/elaborate on

the deficiency. If a deficiency is identified in Parts A-H, the school district may be eligible for reimbursement for the cost of repairs (see *Emergency Repair Program* Regulation Section 1859.320, et. seq., for more details).

PARTS I-L. OPSC has identified other facility conditions that are indicative of a facility that is in "good repair" or maintained in a manner that assures that the facility is clean, safe, and functional, pursuant to ECS 17002. These conditions are contained in Parts I-L (pages 6) of this form. Check the appropriate box that indicates the "yes" or "no" answer to each question. Note that in Parts I-L, a "no" response indicates a deficiency and page 7 of this form may be used to comment/elaborate on the deficiency.

PART M. Complete and sign the certifications (page 8).

*Refer to
EXCEL
VERSION
OF
Facility
Evaluation Form
(IEI)*

M. CERTIFICATIONS:

I, _____, am employed by the _____ County Office of Education, and certify under penalty of perjury under the laws of the State of California that the information contained herein is true and correct to the best of my knowledge and the above findings were made during my review of this school site on _____ at _____ a.m./p.m.	
PRINT NAME	TITLE
SIGNATURE	DATE

I certify that I am employed by _____ School District and that I accompanied the County Office of Education representative on _____ at _____ a.m./p.m. during the school site review. In signing this certification I do not necessarily agree with the findings of the evaluator.	
PRINT NAME	TITLE
SIGNATURE	DATE

Senate Bill 550 School Facility Conditions Evaluation Form

Part	Building/Classroom Number								
A.	Gas Leaks	DRAFT							
There is evidence of gas leaks (e.g., odor, broken pipes).									
	Yes								
	No								
B.	MECHANICAL AND EMERGENCY SYSTEMS								
	There is evidence of problems with the heating, ventilation, or air conditioning systems as applicable (e.g., heating or A/C not working, poor ventilation).	Yes							
		No							
	There is evidence that fire sprinklers are not in working order (e.g., missing or damaged sprinkler heads).	Yes							
		No							
	There is evidence that emergency systems are not functioning properly (e.g., emergency alarms not functional, fire extinguishers missing or out-of-date).	Yes							
		No							
C.	POWER FAILURE								
	There is evidence that a portion of school has a power failure.	Yes							
		No							
D.	SEWER								
	There is evidence of a major sewer line stoppage (e.g., flooding, odor, or obvious signs on school grounds).	Yes							
		No							

NOTE: To make comments about a building/room, place an asterisk at the end of the room/building number and write comments at end of form.

Senate Bill 550 School Facility Conditions Evaluation Form

[illegible]

E. PEST/VERMIN INFESTATION

There is evidence of major pest or vermin infestation (e.g., holes in the walls, floors, or ceilings, rodent droppings, odor).

Yes								
No								

F. WINDOWS/DOORS/GATES (Interior and Exterior)

There is evidence of conditions that pose a security risk (e.g., broken or missing exterior doors, windows, or gates, holes in perimeter fencing, locks and other security hardware missing or not functioning properly).

Yes								
No								

G. HAZARDOUS MATERIALS (Interior and Exterior)

There appears to be evidence of hazardous materials previously undiscovered by school personnel that pose an immediate threat to pupils or staff (e.g., peeling lead based paint, damaged tiles or other circumstances that may indicate asbestos exposure, indication of toxic mold, inadequate storage of hazardous chemicals or flammable materials.)

Yes								
No								

H. STRUCTURAL DAMAGE

There appears to be evidence of structural damage that has created or has a potential to create hazardous or uninhabitable conditions (e.g., severe cracks, sagging or sloping ceilings or floors, missing posts or beams, dry rot/mold in structural components).

Yes								
No								

NOTE: To make comments about a building/room, place an asterisk at the end of the room/building number and write comments at end of form.

Senate Bill 550 School Facility Conditions Evaluation Form

DESCRIBE ANY PROBLEMS OR DEFICIENCIES IDENTIFIED DURING THE SITE INSPECTION

Parts A-H

[illegible]

Senate Bill 550 School Facility Conditions Evaluation Form

Part	Building/Classroom Number							
-------------	----------------------------------	--	--	--	--	--	--	--

I.	INTERIOR SURFACES (Walls, Floors, and Ceilings)							
Interior surfaces appear to be safe, functional, and clean (e.g., no hazards from torn carpet, missing floor or ceiling tiles, tears or holes in walls or floors, water damage, or accumulated refuse).		Yes						
		No						

J.	DRINKING FOUNTAINS (Inside and Outside)							
Drinking fountains appear to be accessible and functioning as intended (e.g., adequate water pressure, no leaks or evidence of moss or mold, clear and good tasting water).		Yes						
		No						

K.	ELECTRICAL (Interior and Exterior)							
There are no apparent electrical hazards (e.g., no exposed electrical wiring, outlets, switch plates, junction boxes, and fixtures are covered and working properly, electrical equipment is properly covered or guarded).		Yes						
		No						
Lighting appears to be adequate and working properly (e.g., not flickering).		Yes						
		No						

L.	RESTROOMS							
Restrooms appear to be accessible during school hours, clean, functional and in compliance with SB 892 (ECS 35292.5)		Yes						
		No						

Senate Bill 550 School Facility Conditions Evaluation Form

DESCRIBE ANY PROBLEMS OR DEFICIENCIES IDENTIFIED DURING THE SITE INSPECTION

Parts I-L

[illegible]

STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE
November 5, 2004

WILLIAMS SETTLEMENT – ASSEMBLY BILL 1550

PURPOSE

To report on the components of Assembly Bill (AB) 1550, Chapter 901, Statutes of 2004 (Daucher), impacting the State Allocation Board (SAB) and Office of Public School Construction (OPSC).

BACKGROUND

AB 1550 was created as a part of the settlement agreement in the case of *Williams v. State of California*. AB 1550, requires the OPSC to provide guidance to the California Department of Education (CDE) and State Board of Education (SBE) in an effort to eliminate the Concept 6 school schedule for districts by July 1, 2012.

DISCUSSION

The following Attachment outlines the specific code sections that may potentially impact the SAB and OPSC. It does not appear that regulations will need to be adopted by the SAB to implement the law. Rather the SAB/OPSC will act as a resource to CDE and SBE in providing technical assistance to eliminate the Concept 6 school calendar.

ATTACHMENT

Assembly Bill 1550

(Daucher)

Concept 6 Class Scheduling

EDUCATION CODE SECTION	DESCRIPTION	REGULATORY ACTION	DISCUSSION/ ACTION ITEMS
37683(a)	Requires CDE to consult with OPSC in considering whether a district has identified adequate sources of funding in their comprehensive action plan (CAP), which outlines steps to be off of Concept 6 calendar by July 1, 2012.	No	<ul style="list-style-type: none"> Will need to provide assistance to CDE sometime after January 1, 2005 Our analysis will help CDE make recommendations to the State Board of Education (SBE) on approval of CAP.
37688 (a) and (b)	Requires SAB to provide an analysis and opinion to the SBE prior to public hearing, if a district has either failed to make substantial progress or develop specific school building plan. The SAB shall render its opinion based upon a written analysis as to the cause of the failure and the remedies proposed to be undertaken prepared by OPSC.	No	<ul style="list-style-type: none"> May need to provide written analysis and opinion after July 31, 2008 if a school district fails to make substantial progress or develop specific building plan.
37688(d)(1)	If the SBE determines that the failure of a district to achieve substantial progress is due to circumstances beyond the control of the district, the remedial plan adopted by the SBE may provide for technical assistance to the district from OPSC.	No	<ul style="list-style-type: none"> This determination would be as a result of outcome from public hearing. OPSC required to work with district, provide outreach as to funding options, assistance, etc.
37689(b)(1)	If SBE determines that the failure of a district to achieve substantial progress or develop specific school building plan is not due to circumstances beyond the district's control, the SBE will hold another public hearing to determine if direct oversight of the district's facilities construction program is needed. Direct oversight by the state board shall consist of assigning a monitor to the district. In selecting a monitor, the SBE shall consult with the OPSC.	No	<ul style="list-style-type: none"> After July 31, 2009 may need to help select monitor.
37689(b)(5)	The district is required to implement the recommendations of the monitor. In a dispute between the monitor and district, SBE will determine in consultation with OPSC, if the district lacks good cause for failing to implement the recommendations.	No	<ul style="list-style-type: none"> After July 31, 2009 may need to make findings on recommendations of monitor.
37692	On or before July 1, 2008, CDE, in consultation with OPSC, shall conduct a survey to determine whether the school districts operating Concept 6 programs will phase out the program by the 2009-10 fiscal year. Present results to Assembly and Senate Committees on Education, and DOF.	No	<ul style="list-style-type: none"> Will need to assist in surveying of school districts and presenting findings to appropriate parties.

STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE
November 5, 2004

WILLIAMS SETTLEMENT –
ASSEMBLY BILL 2727 and SENATE BILL 550

PURPOSE

To report on the components of the uniform complaint process established in Assembly Bill (AB) 2727, Chapter 903 (Daucher), and Senate Bill (SB) 550, Chapter 900, Statutes of 2004 (Vasconcellos), in relation to school facilities.

BACKGROUND

AB 2727 and SB 550 were created as a part of the settlement agreement in the case of *Williams v. State of California*. Both pieces of legislation implement a uniform complaint process to be instituted at the local level for students, parents, or teachers to use as a means to address several items, including the conditions of school facilities.

DISCUSSION

Although, the uniform complaint process does not directly impact the SAB or OPSC, the information provided on the Attachment is meant to advise districts of these new requirements and to assist in complying with the legislation.

ADDITIONAL RESOURCES

California Department of Education, School Accountability Division, Uniform Compliant Process
www.cde.ca.gov

ATTACHMENT
Assembly Bill 2727 and Senate Bill 550
(Daucher and Vasconcellos)
Uniform Compliant Process (School Facilities)

EDUCATION CODE SECTION	DESCRIPTION	SAB REGULATORY ACTION	DISCUSSION/ ACTION ITEMS
35186(a)	A district shall use the uniform complaint process to help identify and resolve any deficiencies related to emergency or urgent facility conditions that pose a threat to the health and safety of pupils or staff.	No	None
35186(c)	A complainant not satisfied with the resolution proposed by the principal or district superintendent designee for a complaint involving the condition of a facility that poses an emergency or urgent threat as defined in EC Section 17592.72(c)(1) has the right to file an appeal with the California Department of Education (CDE). CDE will then provide a written report to the State Board of Education (SBE) describing the complaint and a proposed remedy.	No	<ul style="list-style-type: none"> Repairs of health and safety may qualify as a project under the Emergency Repair Program (SB 6).
35186(f)	Identifies appropriate subjects of complaints and requires a notice to be posted in each classroom in each school in the district notifying parents and guardians of specific standards, including that school facilities must be clean, safe, and maintained in good repair.	No	None
35186(g)	Requires a school district to implement this bill on or before January 1, 2005.	No	None